

Senate Bill No. 1044

Passed the Senate September 13, 2001

Secretary of the Senate

Passed the Assembly September 10, 2001

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act relating to labor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1044, Kuehl. Labor: international trade agreements.

Existing law provides that one of the functions of the Department of Industrial Relations is to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law delegates authority to the Director of Industrial Relations to carry out that function.

This bill would require the director to review and prepare a report that assesses the impact of international trade organizations and agreements on California labor laws and regulations, as provided. The bill would require the director to make the final report available to the Legislature and the public on or before January 1, 2003, and to submit that report to other specified public officials.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The United States participates in international trade bodies, including the World Trade Organization (WTO), and international trade agreements such as the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA). These trade agreements have been implemented without providing for review by California public officials concerned with state labor laws.

(2) The consultation between the federal and state governments required by both the WTO and NAFTA protocols has not included formal or organized consultation with the Legislature.

(3) California's role as a global leader in labor standards, and the Legislature's role in enacting those standards, is subject to challenge by international trade agreements.

(b) (1) The Director of Industrial Relations shall review and prepare a report that assesses the impact of international trade



organizations and agreements, including, but not limited to, the WTO, GATT, NAFTA, and the proposed Free Trade Area of the Americas (FTAA), on California labor laws and regulations. In preparing the report, the Director of Industrial Relations shall consult with the Senate Committee on Labor and Industrial Relations, the Senate Select Committee on International Trade Policy and State Legislation, the Assembly Committee on Jobs, Economic Development, and the Economy, and the Assembly Committee on Labor and Employment.

(2) Following completion of the draft report, and on or before September 1, 2002, the Director of Industrial Relations shall post the draft report on the Department of Industrial Relation's Internet Web site. The director shall then conduct a public hearing that provides an opportunity for public comment on the draft report. Following the hearing, the director shall receive written public comments. A final report shall then be prepared that analyzes and summarizes the public and legislative comments offered during the comment period and includes recommendations based on the director's findings. The director shall make the final report available to the Legislature and the public on or before January 1, 2003. The director shall also submit the final report to the Secretary of Technology, Trade, and Commerce, the California congressional delegation, the United States Trade Representative, and the United States Secretary of Labor.



Approved _____, 2001

Governor

